

ORDINANCE NO. 3622

AN ORDINANCE AMENDING THE CODE OF THE TOWNSHIP OF FRANKLIN, COUNTY OF SOMERSET AND STATE OF NEW JERSEY MORE PARTICULARLY CHAPTER 112, LAND DEVELOPMENT - SECTION 112-42, D&R CANAL AREA REDEVELOPMENT PLAN

SUMMARY

Ordinance No. 3622 provides for the properties Stavola Study Area (Block 8, Lot 1; Block 9, Lot 1); Laurie Rubber Study Area (Block 60, Lots 12-21; Block 62- Lots 1,2,3, 7, 8, 10) and Franklin Inn-Onka Study Area (Block 512, Lot 4) as delineated on the Franklin Township Tax Map, to individually qualify as an "Area in Need of Redevelopment" as per the D&R Canal Area Redevelopment Plan.

WHEREAS, the Township Council of the Township of Franklin, County of Somerset and State of New Jersey, by resolution adopted October 8, 2003 did authorize and assign the Planning Board of the Township of Franklin to:

- (1) Conduct a preliminary investigation pursuant to NJSA 40A:12A-6 to determine whether pursuant to N.J.S.A. A:12A, the Local Redevelopment and Housing Law the properties known as: Stavola Study Area (Block 8, Lot 1; Block 9, Lot 1); Laurie Rubber Study Area (Block 60, Lots 12-21; Block 62- Lots 1,2,3, 7, 8, 10) and Franklin Inn-Onka Study Area (Block 512, Lot 4), as delineated on the tax map, individually qualify as an "Area in Need of Redevelopment", and
- (2) Make a determination, after conducting a hearing and completing the investigation, as to whether or not the delineated area, or any part of it, is an appropriate redevelopment area in accordance with the statute; and
- (3) Report that determination to the Township Council; and

WHEREAS, a report entitled "D&R Canal Area Redevelopment Study," was prepared by Heyer, Gruel & Associates, Community Planning Consultants, the purpose of which was to determine whether portions of the Township, as shown on a redevelopment area map, qualify as a "redevelopment area" as defined in the Local Redevelopment and Housing Law, NJSA 40A:12A-6; and

WHEREAS, the Redevelopment Area Study was:

- (1) Presented to the Township Planning Board and a public hearing thereon was conducted by the Planning Board on January 22, 2003;
- (2) Recommended to the Township Council for adoption of the redevelopment area map by Planning Board resolution on February 5, 2003 ; and

WHEREAS, by resolution adopted on February 25, 2005, the Mayor and Township Council accepted and approved the recommendation of the Planning Board pursuant to NJSA 40A:12-6b.(5) that the proposed area is a redevelopment area according to the criteria set forth in NJSA 40A:12A-5, and that this determination is supported by substantial evidence and shall be binding and conclusive upon all persons affected by the determination; and

WHEREAS, the Planning Board of the Township of Franklin did on April 5, 2006 recommend a Redevelopment Plan for the D&R Canal Area Redevelopment to the Township Council for adoption;

NOW, THEREFORE, BE IT ORDAINED by the Township Council of the Township of Franklin, County of Somerset and State of New Jersey as follows:

SECTION I

The D&R Canal Area Redevelopment Plan, Township of Franklin, County of Somerset and State of New Jersey, Prepared by HEYER, GRUEL & ASSOCIATES, PA, Community Planning Consultant, 63 Church Street, 2nd Floor, New Brunswick NJ 07901, dated March, 2006, a copy of which is attached hereto and made a part hereof, be and it is hereby adopted as Section 112-42 of the Code of the Township of Franklin, Somerset County.

SECTION II

This amendment to Chapter 112 of the Code of the Township of Franklin exceeds six pages in length and shall be published by notice of title and summary of contents as permitted by NJSA 40:49-2.1. The full document will be on file with the Municipal Clerk and available for public inspection. Copies of the Redevelopment Plan will be available in pamphlet or similar form and will be available for sale to the public at a price not to exceed the cost of publication and distribution.

SECTION III

Each clause, section or subsection of this ordinance shall be deemed a separate provision to the intent that if any such clause, section or subsection should be declared invalid, the remainder of the ordinance shall not be affected.

SECTION IV

All ordinances or parts of ordinances inconsistent with this ordinance are hereby repealed as to the extent of such inconsistency.

SECTION V

This ordinance shall take effect immediately upon adoption and publication according to law.

ORDINANCE NO. 3622

**THIS IS A TRUE COPY OF AN ORDINANCE ADOPTED BY THE
TOWNSHIP COUNCIL, TOWNSHIP OF FRANKLIN, SOMERSET, NJ**

INTRODUCED:	June 13, 2006
PUBLIC HEARING:	August 8, 2006
ADOPTED:	August 8, 2006
NOTICE OF FINAL ADOPTION:	August 14, 2006
EFFECTIVE DATE:	August 28, 2006

ANN MARIE McCARTHY, RMC, TOWNSHIP CLERK